BILL NO. S-90-08-11

SPECIAL ORDINANCE NO. S-228-90

AN ORDINANCE approving the awarding of Reference #956 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and **KELLEY CHEVROLET** for the Three Rivers Filtration Plant.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #956 between the City of Fort Wayne, by and through its Department of Purchasing and **KELLEY CHEVROLET** for the Three Rivers Filtration Plant, respectfully for:

> the purchase of a van type truck for the Three Rivers Filtration Plant;

involving a total cost of Thirteen Thousand Seven Hundred Ninety-One and 28/100 Dollars ($13,791.28), all as more particularly set forth in said Reference #956 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Councilmember

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay

J. Timothy McCaulay, City Attorney

REF. NO.:	956
DEPT.:	FILTRATION PLANT
DATE:	8/23/90
ITEM/SERV.:	VAN TYPE TRUCK

PURCHASING INFORMATION

ADVERTISED BID:	YES
DATES ADVERTISED:	7/26 & 8/2/90
OPENING DATE:	8/16/90
WRITTEN QUOTE:	
DUE DATE:	
VERBAL QUOTE:	
SINGLE SOURCE:	
NO. OF VENDORS NOTIFIED:	8
NO. OF VENDORS RECEIVING BID:	3
NO. OF VENDORS RETURNING BID:	3
NO. OF VENDORS DISQUALIFIED:	0
NO. OF VENDORS NOT RESPONDING:	5
DATE SENT TO DEPT FOR RECOMM.:	8/16/90
DATE RECOMMENDATION REC'D IN PURCH:	8/22/90
COUNCIL INFORMATION	DATES SENT EXTENSION DATES
DATE INFO SENT TO LAW DEPT.:	8/23/90
INTRODUCTION DATE:	8/28/90
DISCUSSION DATE:	9/4/90
PASSAGE DATE:	9/11/90
ORDINANCE NO.:	

REFERENCE NO. 956
FILTRATION PL
VAN TYPE TRUCK

DESCRIPTION	WESTLAND DODGE	KELLEY CHEVY	ALLEN COUNTY MTRS
MAKE	1991 DODGE	1991 CHEVROLET	1991 FORD
MODEL	B-250 CARGO VAN	20	ECONOLINE E-150
NET COST	$15,012.70	$14,791.280	$15,084.000
LESS DISCOUNT	N/A	$1,000.000	N/A
TOTAL	$15,012.70	$13,791.280	$15,084.000
DELIVERY TIME ARO	90-120 DAYS ARO	8-10 WEEKS ARO	90-120 DAYS ARO
VALIDITY ON PRICE	UNTIL 2 DAYS AFTER FIRM PRICES ARE ANNOUNCED BY CHRYSLER	UNTIL GM CHANGES PRICE	45 DAYS

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 8-16-90 @ 11:00 AM BID REFERENCE # 956

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR ONE (1) NEW 1991 MODEL, VAN TYPE TRUCK PER SPECIFICATIONS

AND REQUESTED BY FILTRATION PLANT

THIS BID REQUIRES A XXXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A _____ 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: _____% IF PAID WITHIN _____ DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Kelley Chevrolet

STREET ADDRESS 500 East State Blvd.

CITY Fort Wayne PHONE # 484-5566

BY James L. Moulin
REPRESENTATIVE SIGNATURE

SPECIFICATIONS FOR ONE (1) NEW 1991 MODEL, VAN TYPE TRUCK INCLUDING ALL EQUIPMENT LISTED AS STANDARD IN MANUFACTURER'S PRINTED LITERATURE DESCRIBING THE VEHICLE, UNLESS SUPERSEDED BY SPECIAL EQUIPMENT SPECIFIED HEREIN:

			MEET SPECS
1.	YEAR:	1991	Yes
2.	G.V.W:	6600 LBS MINIMUM-3/4 TON WINDOW VAN 350 OR 351 ENGINE	Yes
3.	WHEELBASE:	125 INCHES MINIMUM	Yes
4.	CAB & INTERIOR:	STANDARD W/DUAL PADDED VISORS BLACK INSULATED RUBBER/VINYL FLOOR MAT, AM RADIO, CIGARETTE LIGHTER, RIGHT SIDE CARGO DOOR HINGED W/TIP OUT GLASS, REAR DOORS BOTH W/TIP OUT GLASS & REAR DOOR POSITIONERS	Yes
5.	WINDSHIELD WIPERS:	2-SPEED ELECTRIC W/WASHERS	Yes
6.	MIRRORS:	2 OUTSIDE, 6"X9", WING-LOCK LOW PROFILE	Yes
7.	HEATER/DEFROSTER W/ AIR CONDITIONER:	HEAVY DUTY FRESH AIR HIGH OUTPUT, AIR CONDITIONING W/MANUAL CONTROL, FRONT	Yes
8.	SEATS:	TWO (2) HEAVY DUTY FULL FOAM, DRIVER AND RIDER	Yes
9.	SEAT BELTS:	DRIVER AND RIDER	Yes
10.	COLOR:	1 SINGLE COLOR WHITE	Yes
11.	GAUGES:	GAUGE-TYPE INDICATORS, AMP, OIL, WATER	Yes
12.	ENGINE:	350 OR 351, W/HEAVY DUTY COOLING (PLEASE NOTE WHICH SIZE ENGINE YOU ARE BIDDING)	350
13.	OIL FILTER:	FULL FLOW, 1 QRT CAPACITY	Yes
14.	AIR CLEANER:	STANDARD	Yes
15.	ELECTRICAL SYSTEM:	12 VOLT	Yes
16.	BATTERY/ALTERNATOR:	HEAVY DUTY 70 AMP HR MAINTENANCE FREE, MIN. 100 AMP ALTERNATOR	Yes
17.	DIRECTIONAL SIGNALS:	SELF-CANCEL, FRONT/REAR	Yes
18.	CAB DOME LIGHT:	INSTALLED FRONT AND REAR	Yes
19.	SHOCK ABSORBERS:	HEAVY DUTY, FRONT/REAR	Yes
20.	BUMPERS:	FRONT/REAR-REAR STEP BUMPER W/HITCH	Yes

21. SPRINGS:	HEAVY DUTY, FRONT/REAR	Yes
22. AXLES:	FRONT-3400 LBS MIN. CAP., REAR-3800 LBS MIN. CAP.	Yes
23. TRANSMISSION:	3-SPEED AUTOMATIC W/EXTERNAL COOLER	Yes
24. REAR END:	STANDARD AXLE RATIO W/LIMITED SLIP POSI-TRACTION	Yes
25. RUSTPROOFING:	THE FRAME, CHASSIS, FENDERS & BODY, ETC. EXCEPT FOR DRIVESHAFT SHALL BE COMPLETELY RUSTPROOFED. RUSTPROOFING MUST BE IN COMPLIANCE W/FEDERAL MILITARY SPECS. GSA SPEC. FED-STD-297D-2-22-75, ENTIRE VEH. MUST BE RUSTPROOFED BY A COMMERCIALLY ACCEPTABLE PRACTICE W/WARRANTY INDICATED	Ziebart
26. TIRES:	5 TUBELESS P 235/75R 15	Yes
27. BRAKES:	HEAVY DUTY, POWER BRAKES, DUAL SYSTEM	Std.
28. REFLECTORS, MARKER & CLEARANCE LIGHTS:	INSTALLED TO MEET STATE REQUIREMENTS ON ALL CLASS 1 & 3 TRUCKS	
29. WHEELS:	FIVE (5) 5 HOLE 15.0"X6" W/STANDARD COVER	Yes
30. SPOTLIGHT:	HIGH INTENSITY, MOUNTED DRIVERS SIDE	Yes
31. MANUALS:	ONE SERVICE MANUAL FOR EACH VEHICLE	Yes
32. WARRANTIES:	GIVE DESCRIPTION OF ALL WARRANTIES AND COMPONENT WARRANTIES AVAILABLE	Yes (Included in manuals).
	FOB: FORT WAYNE	
	MAKE:	Chevrolet
	MODEL:	20.
	COST PER VAN:	$14,791.28
	LESS DISCOUNT:	$1,000.00
	TOTAL:	$13,791.28
	DELIVERY TIME ARO:	8-10 weeks ARO
	VALIDITY OF BID PRICE: (IN CALENDAR DAYS)	Until GM Changes Pricing

Prescribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.3)
(Please type or print)

Date: AUGUST 13, 1990

1. Governmental Unit: City of Fort Wayne
2. County: Allen
3. Bidder (Firm): Kelley Chevrolet
   Address: 500 East State Blvd.
   City/State: Fort Wayne, IN.
4. Telephone Number: 484-5566
5. Agent of Bidder (If applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to City of Fort Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

James L. Noulin
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount
	1		3/4 TON VAN		$13,791.28

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
) SS:
Allen COUNTY)

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Kelley Chevrolet
Bidder (Firm)

James L. Noulin
Signature of Bidder or Agent

Subscribed and sworn to before me this 13th day of August, 1990.

My Commission Expires: 2-15-94

County of Residence: Whitley

George H Rowe Jr
Notary Public

GEORGE H ROWE JR.
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____ _____
_____ _____
_____ _____

FIREMAN'S FUND INSURANCE COMPANY
THE AMERICAN INSURANCE COMPANY
NATIONAL SURETY CORPORATION
ASSOCIATED INDEMNITY CORPORATION
AMERICAN AUTOMOBILE INSURANCE COMPANY

FIREMAN'S FUND INSURANCE COMPANIES

BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, Kelley Chevrolet, Inc.
500 East State, Fort Wayne, IN 46805
as Principal, hereinafter called the Principal, and Fireman's Fund Insurance Company

a corporation duly organized under the laws of the State of California
as Surety, hereinafter called the Surety, are held and firmly bound unto City of Fort Wayne
Fort Wayne, IN

as Obligee, hereinafter called the Obligee, in the sum of Five Percent (5%) of Maximum Bid ----------
---------- Dollars ($ ----------

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Supplying One (1) 3/4 Ton Van

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 8th day of August A.D. 19 90

James L. Franklin
(Witness)

KELLEY CHEVROLET, INC.
(Principal) (Seal)

Fleet Manager
(Title)

Jannett K. Lukas
(Witness)

FIREMAN'S FUND INSURANCE COMPANY
(Surety) (Seal)

Duwan F. Tagtmayer
Attorney in fact

360541-4-75

GENERAL
POWER OF
ATTORNEY

FIREMAN'S FUND INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That FIREMAN'S FUND INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the State of California, and having its principal office in the County of Marin, State of California, has made, constituted and appointed, and does by these presents make, constitute and appoint HARRY A. CRAWFORD, RONALD J. HARRUFF, LEONARD B. KOELLER, JAMES E. VAN DYCK, HAROLD E. EVERETT, DUWAN F. TAGTMEYER, JEFFREY C. JOHNSON, CONNIE S. OVERHOLSER, LORETTA A. SPRING, SUZANNE HOPPER, CARLA J. McQUEEN, VICKI L. LEININGER and JANNETT K. YUHAS FORT WAYNE, IN jointly or severally

its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertaking, recognizances or other written obligations in the nature thereof ----------

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

This power of attorney is granted pursuant to Article VII, Sections 45 and 46 of By-laws of FIREMAN'S FUND INSURANCE COMPANY now in full force and effect.

"Article VII. *Appointment and Authority of Resident Secretaries, Attorney-in-Fact and Agents to accept Legal Process and Make Appearances.*

Section 45. *Appointment.* The Chairman of the Board of Directors, the President, any Vice-President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice-President may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation.

Section 46. *Authority.* The authority of such Resident Assistant Secretaries, Attorneys-in-Fact and Agents shall be as prescribed in the instrument evidencing their appointment. Any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment."

This power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of FIREMAN'S FUND INSURANCE COMPANY at a meeting duly called and held on the 7th day of August, 1984, and said Resolution has not been amended or repealed:

"RESOLVED, that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto, by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation."

IN WITNESS WHEREOF, FIREMAN'S FUND INSURANCE COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed this 25th day of August, 19 89.

FIREMAN'S FUND INSURANCE COMPANY

By _____
Vice-President

STATE OF CALIFORNIA
COUNTY OF MARIN } ss.

On this 25th day of August, 19 89, before me personally came R. D. Farnsworth, to me known, who, being by me duly sworn, did depose and say: that he is Vice-President of FIREMAN'S FUND INSURANCE COMPANY, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.

OFFICIAL SEAL
J. M. VANDEVORT
NOTARY PUBLIC - CALIFORNIA
Principal Office in Marin County
My Commission Expires Aug. 28, 1992

_____
Notary Public

CERTIFICATE

STATE OF CALIFORNIA
COUNTY OF MARIN } ss.

I, the undersigned, Resident Assistant Secretary of FIREMAN'S FUND INSURANCE COMPANY, a CALIFORNIA Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked; and furthermore that Article VII, Sections 45 and 46 of the By-laws of the Corporation, and the Resolution of the Board of Directors; set forth in the Power of Attorney, are now in force.

Signed and sealed at the County of Marin. Dated the 8th day of August, 19 90.

_____
Resident Assistant Secretary

360711-FF-6-89

Read the ~~first~~ time in full and on motion by Burns, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on City Utilities (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room ~~128, City-County~~ Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock ____.M.,E.S.T.

DATED: 9-28-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the ~~third~~ time in full and on motion by Burns, seconded by Henry, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7			2
BRADBURY	✓			
BURNS	✓			
EDMONDS	✓			
GiaQUINTA				✓
HENRY	✓			
LONG	✓			
REDD	✓			
SCHMIDT	✓			
TALARICO				✓

DATED: 9-11-90.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (~~ZONING MAP~~) ORDINANCE RESOLUTION NO. S-228-90 on the 11th day of September, 1990,

Sandra E. Kennedy
ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL

Charles S. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1990 at the hour of 2:00 o'clock ____.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of September, 1990, at the hour of 5:30 o'clock P.M.,E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Ref. No. 956 for the purchase of a van type truck for the Three Rivers Filtration Plant. The cost reflects the lowest and most responsive of three (3) vendors.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

S-90-08-41

EFFECT OF PASSAGE: Purchase of a 1991 van to be used by the Filtration Plant to transport materials and personnel to outlying stations, besides useage at the Filtration Plant.

EFFECT OF NON-PASSAGE: We would not be able to answer emergency situations at the outlying pump stations, Cedarville Dam, Hurshtown Reservoir and St. Joe Dam. To convey tools, materials and personnel to the area needed in a crisis situation. Such delays would result in lack of water to residents.

MONIES INVOLVED: Kelley Chevy $13,791.28

PRICE AGREEMENT:

PURCHASE ORDER: Yes

SOURCE OF FUNDING: Filtration Pl 513-523-B101-4441

PRIOR APPROVAL: DATE:
(IF APPLICABLE)

BILL NO. S-90-08-41

REPORT OF THE COMMITTEE ON CITY UTILITIES

PAUL M. BURNS, CHAIRMAN
MARK E. GiaQUINTA, VICE CHAIRMAN
HENRY, LONG, TALARICO

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ approving the awarding of Reference #956 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and KELLEY CHEVROLET for the Three Rivers Filtration Plant

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~

DO PASS	DO NOT PASS	ABSTAIN	NO REC
Paul M. Burns			
Mark E. GiaQuinta			
James J. Talarico			
Cletus Edmond			

DATED: 9-11-90

Sandra E. Kennedy
City Clerk